



Missouri Department of Natural Resources

MINUTES

MISSOURI SOIL AND WATER DISTRICTS COMMISSION UNIVERSITY OF MISSOURI ROOM 154 ECKLES HALL COLUMBIA, MISSOURI AUGUST 4, 2005

COMMISSION MEMBERS PRESENT: Kathryn Braden, Elizabeth Brown, Richard Fordyce, Leon Kreisler

EX-OFFICIO MEMBERS: DEAN THOMAS PAYNE, UNIV. OF MISSOURI: David Baker; **JOHN HOSKINS, DEPT. OF CONSERVATION:** Brad McCord; **FRED FERRELL, DEPT. OF AGRICULTURE:** Dan Engemann; **DOYLE CHILDERS, DEPT OF NATURAL RESOURCES:** Scott Totten

ADVISORY MEMBERS PRESENT: SOIL & WATER CONSERVATION PROGRAM: Sarah Fast; NRCS: Dwaine Gelnar MASWCD: Tom Lambert

STAFF MEMBERS PRESENT: Davin Althoff, Milt Barr, Jim Boschert, April Brandt, Allan Clarke, Wyn Kelley, Joyce Luebbering, Amber Marshaus, Dean Martin, Theresa Mueller, Marcy Oerly, James Plassmeyer, Larry Slechta, Ken Struempf, Lindsay Tempinson, Chris Wieberg, Bill Wilson

OTHERS PRESENT: STATE OF MISSOURI: ATTORNEY GENERAL'S OFFICE: Zora AuBuchon; DEPARTMENT OF NATURAL RESOURCES: Gary Heimericks; **OTHERS:** CAFNR UMC: Bill Kurtz; CARES: Bryan Mayhan; US CORP OF ENGINEERS: John Grothaus FAPRI UMC: Claire Bahaut; MO. FARM BUREAU: Ron Hardecke, Kelley Smith; NATURE CONSERVATORY; Steve Mahfood, NRCS: Dennis Potter; UNIVERSITY OF MISSOURI: Tom Henderson

A. CALL TO ORDER

Chairman Elizabeth Brown called the meeting to order at University of Missouri in Columbia, Missouri, in room 154 of Eckles Hall at 9:30 am.

Ms. Brown introduced Dr. Tom Henderson. Mr. Henderson stated that this summer he had been making visits with state agency directors. One visit was with Doyle Childers, whom Mr. Henderson had worked with for many years. They talked about the partnership they have through the University Extension.

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Mr. Henderson also stated that the University Extension periodically goes through a planning and needs assessment with their federal partner US Department of Agriculture. They are now looking at putting together a five-year plan.

B. MINUTES OF THE LAST MEETING

Richard Fordyce made a motion to approve the minutes of the June 30, 2005, commission meeting as mailed. Kathryn Braden seconded the motion. When asked by the chair, Kathryn Braden, Richard Fordyce, Leon Kreisler, and Elizabeth Brown voted in favor of the motion and the motion carrier unanimously.

C. PLANNING

1. Soil Science Update

Dean Martin gave an update on happenings in soil science over the last year or so. He introduced Larry Slechta and Amber Marshaus, our two new soil scientists. Mr. Martin stated that the business plan for soil science, that was put together about five years ago, was in response to the completion of the initial inventory of Missouri soils. The commission's 1994 plan for the future called for the completion of the initial soils inventory by 2002, and evaluation of the Department of Natural Resource's role in updating the survey based on Major Land Resources Areas (MLRA) and in providing additional soil science assistance.

Mr. Martin stated that the initial soil inventory was completed. The inventory was spread over nearly 100 years, across a variety of technologies, and the system is a series of models. The commission decided that their role would be to assist in updating the soil survey based on MLRA and providing assistance to districts, landowners, and others. Half of their time will be spent keeping the data up to date and the other half in providing soil science assistance. Examples of soil science assistance are identifying soils and landscapes subject to erosion, transport of pollutants, and other problems; proposing soil science-based solutions to watershed problems; and reviewing AgNPS SALT and other watershed successes using science-based criteria.

Mr. Martin updated the commission on the staffing plan that included three Unit Chiefs (Soil Scientist 4s), and 17 other Soil Scientist (1s, 2s, and 3s), for a total of 20 - which is down from the 30 in 1994. He stated that there are three in each office except for Springfield and Columbia and they each have four. Mr. Martin stated that they have a strong cooperative partnership with the University of Missouri, NRCS, districts, and others.

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Dennis Potter from NRCS stated that Missouri soils are very diverse. He reiterated that the soil survey had been worked on for 100 years. The initial survey was completed in 2001. After this was completed the soil scientists systematically evaluated the information that we received from the initial survey. Mr. Potter stated there are 106 soil surveys for the state of Missouri. He proceeded to cover the information received, such as, known deficiencies, laboratory data, map unit composition, GIS evaluation of line placement, field verification, regional consistency, soil landscape model, and executive summary of all the information. What we found during this thorough evaluation was that we have good information, but we need to update the data to make a consistent product that meets user needs. We also need to collect more data to verify what we are saying about soils. There are other environmental issues that are being presented that we need to provide support to; and also special studies, and then we need to produce a product.

The mission, that was developed at the completion of the initial survey, is to continue the development of science-based soil system information, customized to meet user needs for natural resource management with the emphasis on user needs.

Mr. Potter stated that a MLRA is a natural boundary. Areas within those have consistent land use, soils, water resources, and landscape issues. These are natural divisions of Missouri.

Mr. Potter stated the next step is completing phase one. We want to bring the product up to a more common standard. We developed databases to record and retrieve information from it. We want to refresh statewide maps and soil properties with known information, evaluate and identify opportunities to improve the initial soil survey product, and develop a work plan to address long-term objectives.

Phase two is to maintain and update maps and soil properties data by conducting needed data collection activities, and to upgrade the entire state database to a common high standard. Mr. Potter stated that Missouri has the best soil science program in country.

Scott Totten asked how much technology had helped, Mr. Potter answered that they were using technology in refreshing the entire state data, and because of technology, every county in the state had been touched (and improved) by this phase.

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Next Bryan Mayhan from the Center for Agricultural, Resource, and Environmental Systems (CARES) summarized the information from the Cooperative Soil Survey. He stated that they are mainly doing data dissemination of the soil survey information. All the soil surveys are now preserved in a digital format. The range of use for the information is large.

An individual can go to the web site and get maps of the area they are looking at and find out if it will support their plan. Due to the data collected and the many ways that it can be used, Missouri is on the cutting edge of soil surveys. This makes Missouri the blueprint for where everyone else wants to be nationally.

Mr. Mayhan stated in response to Mr. Totten's question about technology, that it would have been impossible without high-end technology.

Mr. Mayhan also presented information on a new web-based product that can be used to develop a report for a specified area. When asked if this report function was available now, Mr. Mayhan answered that there was a web page that works on the internet that has not been made available to the public, but he could make a test link. *Since the meeting this link has been added under* <http://soils.missouri.edu>.

Dean Martin thanked Mr. Mayhan and Mr. Potter for their work on the project.

2. **Budget Update**

Milt Barr presented a review of the state fiscal year, revenue information, the Soil and Water Conservation Program (SWCP) expenditure, and revenue summaries for FY05, and a review of the start of FY06. He also discussed the projected FY07 program budget that would be submitted to the department.

He reviewed that the fiscal year starts on July 1, and ends on June 30. FY05 ended on June 30, 2005, and FY06 began on July 1, 2005.

He reviewed the Missouri State budget process and that it uses performance based budgeting. This process began in the 70s. The executive branch added strategic planning and priority results in 1993 and 1995. In 2001, the Governor issued Executive Order 01-19 to establish a Performance Improvement Concept. In 2003 Senate Bill 299 passed that required the General Assembly to use performance measures in budget deliberations. Under this bill newly funded programs were to be reviewed every six years to see if they met their performance objectives in order to continue.

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The budget process starts with the previous year's core budget as a baseline. Departments must justify and prioritize any increases to the Governor and must stay within the Governor's executive budget instructions. The executive budget is presented to the General Assembly for it to become a bill. Normally the budget bills start in the House. Both the House and the Senate then review the bill and then if agreed upon, it is sent back to the Governor for approval and signed into law.

Mr. Barr reviewed the soil sales tax revenue that comes from the one-tenth-of-one-percent of the general sales; use tax is split evenly between the Parks, and SWCP, as established by the Missouri Constitution. The Department of Revenue collects the taxes and established fees. They deposit the revenues into the program funds, which usually reflect the previous 30 or more days business activities. Revenues for FY05 were \$38,608,927 compared to FY04 revenues that totaled \$37,394,824. The total FY05 approved core budget for the SWCP was \$38,549,586. The total expenditures for FY05, including transfers, were \$37,399,702.

There were no changes to the FY05 budget core numbers with the exception of \$1,200 per year increase for state employees. One significant difference in the FY05 and beyond budget process is that there will not be re-appropriation authority for operational funding programs. The SWCP has been authorized to use "estimated" budget line authority in order to manage any additional expenditures in one year caused by the loss of the multi-year re-appropriation authority. In FY05 only the research appropriation was required to have an increase in appropriation authority above the estimated annual budget line and this was due to multiple-year projects under the previous re-appropriation authority that came due in 2005 and exceeded the estimated authority. The actual funding had already been planned and budgeted for the work in the fund reserve.

Mr. Barr indicated that there had been some recommendations from the association to add the transfers and other budget lines in the overall state budget from Soils Sales Tax funds that support Soil and Water Conservation Programs, to the basic program budget pie chart to make it clear. "Transfers" are projected allocations of costs to those state agencies that provide specific support and/or consolidation services to the program. They are normally included in the support agencies separate core budget projections that are approved by the legislature bill and signed into law by the Governor. Mr. Barr and Sarah Fast agreed to place a summary budget section for all of the transfers and others along with the other program budget lines in the chart. Marginal information was also updated to include the overall budget percentages. He will continue to present the new chart profile in the future.

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Mr. Barr reviewed the Governor's signed FY06 core program budget totals of \$38,687,928. This included \$231,042 increase for District Benefits. The FY06 Governor's signed state budget for SWCP totals \$41,812,998 and this includes the projections for the transfers and other expenditure for the Soils Sales Tax fund.

The projected revenue for FY06 totals \$40,410,239. This amount includes the projected FY06 Soils Sales Tax amount of \$39,960,239 plus the estimated investment earnings of \$450,000. This is a 3.5 percent rate of increase over the FY05 Soils Sales Tax revenues. Mr. Barr indicated that the FY 06 budget appears to be on track for another successful year.

Mr. Barr reviewed the actual and projections of the fund balance for FY 05 and FY06. He reviewed the obligations of the fund balance for multi-year SALT projects, Loan Interest Share payments, and Cost-Share payments with the balance approved by the commission to be used for a scale down period in case of the Sales Tax sunset.

Mr. Barr then reviewed the FY07 projected state budget total of \$41,566,456. The only projected change to the FY07 core budget is the additional District Benefits increase approved by the commission projected for the next FY. Mr. Barr indicated that all of the FY06 and FY07 budget items are current projections and he will continue to monitor and report back to the commission as needed and again at mid-year.

3. DNR Reorganization Update

Gary Heimericks from the Department of Natural Resources stated that Mr. Childers sent his regrets that he could not be there. Mr. Heimericks stated he hoped he could give the commission some look at the future and answer any questions the commission might have. He said there were several things that Director Childers had implemented to move on this fiscal year and he would walk the commission through those. The first and foremost that they have been pushing is a new division and that division will be Field Services.

The concept behind the Field Service Division is to move as much of our work out into the field as possible. We need to keep people out working with the local folks, whether it is permitting, or soils or whatever so we are going to be using our efforts to push as much out there as we can. Part of that is going to include expanding what is called satellite offices. In the past there has been our regional offices set up and then we would set up what we call satellite offices in an area of the state that either had a particular interest taking place or a problem occurring.

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Mr. Heimericks stated places they were looking at that they had recently agreed to were Maryville and Poplar Bluff. They plan on expanding the satellite office in Rolla, which would be located with their current division there; they are also looking at West Plains and Hannibal.

Something for the commission to think about, that Mr. Childers asked Mr. Heimericks to share with the commission, was that sometime in the future Mr. Childers might want to come talk to them about how they could co-locate with some of the local offices that operate the soil program, particularly with NRCS. There might be some opportunities for them to work with the commission and the federal agency in those areas. So if the commission had ideas, that might be helpful in service delivery not just soils, but DNR in general, Mr. Childers would like to hear the commission's comments on that.

One of the key issues behind moving people out and setting up the satellite office is that the department would like to be in the position where they reduce what is called windshield time, the amount of time staff is driving to the location. They believe having had that discussion with every program in the department that most of the staff was very good about coordinating their activities when they go out in the field. But they would like to reduce the amount of time that people are in a vehicle in unproductive status. They are looking at that as one of the key issues for setting up satellite offices.

The second really big initiative that they have going is a program called the Ombudsman Program. Director Childers would like to have six ombudsmen located throughout the state. They will work directly with and for the director's office, Mr. Childers himself, and with the director of field services. The idea there is that these folks will be preemptive type of folks. If there is a problem, they want them to help work with the regional office or program to resolve the issue. But what they really want to do is get people to start listening. What are the problems they are experiencing, do they see problems that are occurring across geographic areas in the state, and are there emerging issues that we, as a department, should get ahead of. This is a very key issue related to field services and service delivery.

The other issue related to these two is an increased emphasis on compliance assistance. Compliance assistance is the opportunity to go out and work with individuals, particularly in the permitting community, but it is not necessarily restricted to that so that they can help them do the permitting process and help them through issues they might have complying with environmental laws. The concept is they would rather be on the front end helping solve the problem than be on the backend of enforcement. So what we are going to try to do is push more

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and more activity to the front end of the permitting, front end of any type of application process to work with that local individual, with that community, or with a business so we help them get through the permitting process and through the compliance process.

Mr. Heimericks stated in fact you would hear Mr. Childers say you get one free pass. Once they sit down and work with you and help you work through the permitting process and get you on board, get you operational, he wants to be able to send DNR employees out from the regional office, sit down with individuals and say we looked at your application/permit, you still have some problems. We want to help you through the problems, we want to tell you what our advice would be. We will give them a period of time to correct those problems. Then they will go back and look. If they have not corrected them the second time, things are going to get a little more intense with them. Because the idea is if we help them through the process and show them what they need to do, then we want to help them make the changes. If that does not happen or if permitting does not take place, then they are going to have to take a little more action. We really do not want to be in the position to use enforcement as the key. We want compliance to be the key.

Mr. Heimericks mentioned the interesting concept about permitting is that, under Mr. Childers' direction, to move permitting to our regional offices. Again the reason for that is that the employees in the regional offices know more about what is going on, and are closer to the individuals they are regulating or permitting than those in Jefferson City. So they are going to try and move as much of that activity out to the regional offices.

To help that, as Scott Totten mentioned, how the commission used new technology to do soil surveys and a lot of other things. We also want to work on new technology in permitting. They have some new permitting activities that will be online activities, so that the permittee could go to a system and be able to basically handle the permit online.

Then after they have that in place or basically at the same time we're working on what is known as expedited permitting. They hear all the time from businesses, and communities saying that if you can just get me that permit I know I can get the construction going faster, or I can get my business going. One of the things they are looking at saying is "we don't believe it is fair that because an individual has more assets than another that we should take their application out of line, so that it keeps pushing things down." What they are looking at is hiring consulting engineers. The more permits they get, the more business takes place. So they are going to try very hard to move that process along, improve it, and streamline it.

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The other thing, Mr. Childers has stressed in his meetings, is that he wants to be in the position that when they sit down with individuals at the local level that they've reached consensus on decisions. He really believes that if they sit down as a workable group, they can solve just about any problem. In fact, he will tell you that if there is an environmental problem that occurs, the chances are that they failed. Not just DNR, but the people they are working with, because they did not come to a consensus on how to resolve the issue before it became a crisis.

One of the things Mr. Childers has been telling staff is that predictability is probably the most important thing that the Department of Natural Resources can provide people they work with and regulate. It is very important that when a person comes to the Department of Natural Resources that they know that if they do certain things in a certain way, a certain thing will happen. In that effort, the field employees operate out of basically two or three different manuals, such as enforcement and inspection manuals. They are now updating those. Each of the programs have permit manuals and all the permit manuals are going to be updated. It is very important, because businesses are not aware of geographic boundaries any more than soils. It is very important that a business that does business in St. Louis, gets treated exactly the same way they would in Jefferson City, Lake of Ozark, or up north.

Last, but not least, a relatively new concept that they have been talking about is establishing what is known as a compliance and enforcement board, within the Department of Natural Resources. Right now they have many programs that do enforcement activities if they cannot get individuals in compliance. Currently, an individual program can refer an enforcement activity to the Attorney General's (AG) office directly. They want to be in the situation where before that activity is brought to a commission, certainly before the activity is brought to the AG's office that they have an internal board made up of people who do enforcement activities in the department who have a good view of what enforcement means and when you should take it. Again, what they are looking for is consistency and predictability. Mr. Heimericks thought as they move along you will see more of Mr. Childers getting out on the road seeking information on how they are doing business. Telling them if they are in the right place at the right time. Helping them figure out what are the solutions to problems. Helping them identify problems. Anything that the commission could do to help them in that area would be appreciated.

Mr. Heimericks stated that Mr. Childers is very open to new ideas, they have an ask the director web page, and he invites anyone, anytime to call him, or send an email.

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Elizabeth Brown asked how the satellite offices would work with the local soil and water conservation districts. Mr. Heimericks answered that that was a very good question because that is part of the issue that he brought up earlier about how do they relate to them. Right now the satellite offices work in particular geographic areas where they have areas of concern. He gave an example of this with the Lake of the Ozarks. The water quality at the Lake of the Ozarks is very important to them. There is a lot of work going on there and there are a lot of septic systems there, so that is a key area. But, they believe that Soil and Water Program has a big impact on water quality, so that is why they are interested in looking at some of these relationships and co-locations because Mr. Childers believes that there are better connections that could take place. If they can hook up with NRCS, or other service deliverers, they think they will be better off in the long run in taking care of watersheds. To answer her question, he stated he thinks they want to improve that relationship. Mr. Heimericks stated he did not want to give the wrong impression about having a person in every office, because that is not possible. In the areas they see emerging issues or areas the commission identifies for them to work with, he thought Mr. Childers was open to doing it.

Mr. Martin asked what he saw soil and water's role was because they do not do enforcement or compliance work. Mr. Heimericks stated the issue was, soil and water's work is primarily driven out in the county by local landowners. What they want is to be in the position to, as much as they can, integrate soil and water more and more into the regional and district offices. Have as many of the program's people, out there. They know that not all of DNR is regulatory. The key is how do they integrate those high service delivery programs with the rest of the service delivery system. Every one of the regional offices has soil scientists assigned to them. So the question becomes, do we expand that service or do we move them to a satellite office? What is the best way to handle that service delivery?

Sarah Fast stated that the program could be in a different division with different division management. Ms. Fast added that this could be a major impact on staff and the organization.

D. FOLLOW-UP

1. Request for Research Funding to Develop Additional Solutions for Streambank Erosion

Bill Wilson reviewed with the commission that at their May meeting they heard a request from Commissioner Kreisler and Ron Hardecke regarding a proposal to address streambank erosion. Mr. Wilson pointed that the commission had a copy

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of that section of the minutes and a copy of the June minutes regarding the legal opinion on the proposal. Mr. Wilson reiterated that Ms. Mulligan had reviewed the proposal with the Attorney General's Office (AGO) and informed the commission that the proposal was consistent and within the commission's constitutional authority. Mr. Wilson introduced John Grothaus from the United States Army Corps of Engineer's (Corp) Kansas City District to make his presentation.

John Grothaus stated the reason the Corp was involved was because there seemed to be a propensity for watersheds in East Central Missouri to deposit tons of gravel in streambeds, which refocuses flow in the streams that erodes land. One area where the Corp comes in is in the regulatory program section 404 of the Clean Water Act where they permit any dredge and or fill activity in the waters of the United States.

Mr. Grothaus stated that there was a proposal by the Senate of the United States to do a pilot project, a study, and a construction project to look at ways to conduct beneficial streambank erosion protection features that have the benefit of protecting valuable habitat and landowner interest. Mr. Grothaus proceeded to give the commission an overview of the Army Corp. of Engineers.

Mr. Grothaus stated they are organized for civil works and for water recourse projects. Their districts are organized around watershed boundaries. The Kansas City district includes the Missouri River, and watersheds from Nebraska to St. Louis, as well as other tributaries. The issue at hand was the gravel deposition and bank erosion in Missouri River tributary streams in East Central Missouri that is causing loss of farm and grazing land and loss of riparian habitat. The Corp took a trip along with their regulatory staff, and Farm Bureau to visit landowners with bank erosion problems to see some demonstrations that the landowners had done to protect their land. What came out of the site visits was that there is a communication problem between regulatory agencies and the landowners. Other issues were the misconceptions of regulatory requirements, inconsistency, (or perceived inconsistency) between regulatory policy and guidance, and land use and streambank protection practices that landowners want to do. Out of this came opportunities for consensus building and general acceptability in the adoption of certain bank erosion protection and land use practices in the watershed areas that could form a coalition between agencies and landowners. They also think there is opportunities to clarify where possible, regulations and simplify regulatory guidance, improve communication among agencies and landowners, further the goals for riparian and habitat protection, and conservation of land and grazing lands which is not inconsistent or in conflict with habitat protection.

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Mr. Grothaus informed the commission that they think there is an opportunity to develop an array or portfolio of low impact, low cost, simple to implement bank stabilization methods. These would involve cedar revetment and dikes, gravel and rock dikes, and willow staking. Those they think could be wrapped into a streamlined, pre-approved, permitting process to make things easier from the landowner's standpoint. They do not want to ignore the watershed approach, they want to take a holistic approach in their study to make sure the land use and bank protection methods utilized would have an over all neutral or beneficial effect on the watershed. In some areas where there is a higher velocity flows, more magnitude of flow, and more complex hydraulics problems, there would be the need to use more costly and higher engineered measures to resolve some of the bank stabilization problems.

Mr. Grothaus proceeded to cover a few of the practices that they saw on their trip.

According to Mr. Grothaus, the Corp could come in to assist with a pilot program through their Section 206, this is the Water Resources Development Act of 1996, and it is for aquatic restoration, wetlands, streams, and riparian habitat. Water projects are not funded through the defense bill; they are funded through the Energy and Water Appropriations. In the Senate version of the Energy and Water Appropriations Bill for 2006, there is \$200,000 for FY06 for a pilot project for stream restoration on some of streams in East Central Missouri. Mr. Grothaus proceeded to cover Section 206 phases, which included the preliminary restoration plan phase, feasibility or planning phase, design phase, and construction phase and the timelines for each phase. The total federal share is 65 percent and 35 percent local. There is work-in-kind allowed during the construction phase and can be included as part of the local share. During the construction phase the funding is primarily local so to make up the federal funds spent during the earlier phases. Operation and maintenance is also the responsibility of the local sponsor. Local sponsor's can be any public, state agency, and nongovernmental agency.

Kathryn Braden asked how stable willow plantings were, Mr. Grothaus stated that Ron Hardecke could answer that better than him, but they saw were these were taken hold and lasting any where from three to seven years. Ms. Braden asked how long it takes for them to actually stabilize, Mr. Grothaus answered that willows tend to propagate pretty fast if they could build a structure for the willows and vegetation to get rooted into, maybe six months to a year or two. Steve Mahfood asked how aware St. Louis, and Memphis districts were in regard to the grading approach, Mr. Grothaus answered that the St. Louis district was involved and on the site visits. But Memphis was not. Mr. Mahfood asked if they might see some of the same activities in the South Central Ozarks or in other places in

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the state, Mr. Grothaus answered yes from their standpoint, the regulatory chief from their headquarters was involved, as well as Colonel Rossi. Colonel Rossi has been engaged in this and intends to network with his fellow commanders in the other districts to make sure and try to apply a consistent approach. Sarah Fast asked Mr. Grothaus what research questions he saw overlapping this approach, and would this proposal fit a research model. Mr. Grothaus answered yes, because they think that there is certainly a difference of opinions on what works and what does not, and what has adverse affects in the watershed and what does not. He also stated that there is a valid need for some study and some research applications to understand better how these measures might interact and affect the stability of the stream over the watershed and over different reaches of the stream. Richard Fordyce asked if a dollar amount had been requested from the commission, Mr. Grothaus answered no. Ms. Fast stated that Bill Wilson would work that after this presentation. When asked if the \$200,000 was for this project alone, Mr. Grothaus answered that it was for the Corp to use under Section 206. They can use those funds during the planning and design phases to bring different agencies on board. They have certain contracting rules that they have to follow, but they have brought universities and research institutions on board during that phase with those funds. When asked if they were looking at willow dikes as a treatment, Mr. Grothaus answered it was one possibility. When asked as the lead agency, would they be working with other departments and NRCS, Mr. Grothaus answered yes, in their program they work with those agencies and under this pilot program they would work with them also. He stated that MDC had a lot history of working in this area and addressing these types of problems and the Corp has a lot of history in bank stabilization, protection, and increasing habitat restoration. Scott Totten asked if the proposal would look at all the issues going on in the watershed and decide what would need to be done to provide the most stability over time or would it just look at a particular practice in a particular area and not look up the stream. Mr. Grothaus stated that Section 206 is a small project program, and they have several of them. The focus is supposed to be site specific and solution specific and that is how the funds are supposed to be spent. However, they do have watershed studies involved with 206 studies, there will have to be some measure of basin wide watershed type study to validate the process and the work at the site. When asked if they had criteria on the size of the watershed, Mr. Grothaus answered he could not think of any in this program.

Brad McCord thanked the Corp and Farm Bureau for brining partners together and for trying to cut through some of the miscommunication. He stated that MDC would like to provide an update on some stream techniques that they are going to try. When asked what research had shown about removing gravel to use as revetment in order to keep the stream more in it's channel, Mr. Grothaus answered that to a point relocating some gravel maybe possible to do and could be

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done without adverse impacts. But when you start digging in the channel, excavating below the waterline, in significant amounts without consideration of impacts they felt it could have adverse affects down stream. He also stated that the removal of gravel is one of the more controversial issues and has to be very carefully considered because there is a potential for adverse affects on the stream or river.

Mr. Wilson stated that based on the information from the presentation that was just given a 35 percent local match of the \$200,000 or \$70,000 would be needed to cover the expenditures to qualify for the federal funds. As previously discussed with the commission, staff was considering that the commission could use their research funds to fund this proposal. The commission has an \$160,000 with an E designation annual appropriation for research. Mr. Wilson pointed that the commission had previously decided not to fund anymore research that extended beyond the current sales tax. Mr. Wilson also stated that he had met with Dr. John Gardner and Dave Baker, but at this time staff does not know what other costs would be associated with the support of the research project in addition to the \$70,000. Mr. Wilson said that another meeting was being planned in September with University of Missouri and Farm Bureau staff to review this proposal. Mr. Wilson asked the commission if they had any direction for the staff.

Leon Kreisler stated he was encouraged to know that the Corp and some of the other agencies were on the same page in trying to solve or correct a major problem such as soil erosion. He thought this was a great opportunity for the commission to assist in this project. He asked what kind of a commitment the Corp would want them to make, Mr. Grothaus answered that if they were planning on getting to a construction project in FY06 they would need matching funds. But he could not tell the commission that they would get to construction in FY06. What they could do is sit down with staff and make a plan on how to approach the problem and how different funding options might unfold. Elizabeth Brown asked if Missouri Department of Conservation (MDC) had any commitment for the project. Brad McCord answered that the department had seen a lot of the efforts that Corp had pointed out, but MDC was currently looking at their own land and variety of techniques. He stated there will be a survey of stream landowners about what resources they have, what are the barriers, and what problems they have had in the past. Their stream unit came up with about 25 techniques and narrowed that down to about seven of them that held promise. Mr. McCord also informed the commission that two of the techniques had been implemented. One of the techniques involved the placement of logs with a backhoe. He also stated that the department would be interested in providing cost-share and input to the project as it progresses. Kathryn Braden stated she

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believed the commission needed to spend their research money on something that could be put on the ground later and she would be in favor of the project. She asked what the commission needed to commit to today? Sarah Fast stated that if they wanted to make a motion to commit research funding to the project contingent upon more details should be sufficient at the time.

Kathryn Braden made a motion to commit research funds. Richard Fordyce seconded the motion.

Ms. Brown asked if NRCS had any commitment for the proposal, Dwaine Gelnar answered that NRCS would be very interested in the project and participating. He stated that their role in it would be an opportunity to learn and incorporate this type of research into their standards.

Ron Hardecke, from Gasconade County and Farm Bureau, thanked John Grothaus for attending and the commission for their consideration. He also stated that he felt that Mr. Grothaus had put together a program that was workable and designed to meet the need of the landowners. He stated Farm Bureau met with Mr. Grothaus, David Combs, and Larry Myers and they presented this plan. Mr. Hardecke stated that the kinds of projects they were looking at the cost needs to be down from millions to thousands. The pilot project would be one pilot project, but it could be in many areas.

Mr. Fordyce asked how the details of the funding would be handled, Mr. Hardecke answered they were leaving that up to the Corp. It would be under their direction, because they are the regulatory agency that everyone goes to. They were seeking the Corps approval of the techniques and practices. Mr. Grothaus stated that the federal funding would be through their appropriation bill and the local funding for cost-sharing would have to be through an agency that is eligible to serve as a cost-sharing partner such as a public agency, an NGO, state, or county. When asked if the sponsoring agency had been identified, Mr. Grothaus answered that the sponsoring agency has not been determined. Mr. Fordyce stated that according to Mr. Grothaus their emphasis would be on habitat improvement, Mr. Grothaus stated that the 206 Program requires that the justification be habitat benefits. Mr. Fordyce stated that the commission emphasis would be on soil erosion. Mr. Grothaus stated that those two measures were not necessarily incompatible.

When asked by the chair, Kathryn Braden, Richard Fordyce, Leon Kreisler, and Elizabeth Brown voted in favor of the motion and the motion carried unanimously.

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Sarah Fast stated that they would have some follow-up reports at the fall meetings with more specific details.

E. REVIEW/EVALUATION

1. Land Assistance Section

a. Cost-Share

1. Monthly Cost-Share Usage and Fund Status Report

Joyce Luebbering reported that in FY05 \$20,100,000 in claims was processed. Of this amount, \$10,000,000 was received in the last two months of that fiscal year.

For FY06 the districts have received an initial allocation of \$19,900,000 for regular cost-share practices. This was the same initial allocation the districts received in FY05.

Of the total amount that will be eventually allocated to the districts, only \$20,000,000 is projected to be claimed. The projection was based on amounts claimed in previous years.

Ms. Luebbering stated that as of August 1, 2005, \$31,000 in claims had been processed. This amount is \$69,000 less than what was projected for this time. In FY05 at this time, \$55,000 had been received in claims.

2. Allocation of Additional FY2006 Regular Cost-Share Funds

Marcy Oerly presented a review of the cost-share funds for Fiscal Year (FY) 2006. It was reported that the FY06 Cost-Share Program appropriation was \$20,250,000. The rule is that half of the appropriation must be split equally among the 114 districts and the other half is divided among the districts based upon need as determined by the commission.

Over the last five years the districts have averaged claiming 83 percent of what was allocated. To claim the full amount, the commission will have to over allocate and make at least \$24,000,000 available to the districts. In order for the districts to claim all of the appropriation, the remaining \$335,126 would need to be reallocated along with allocating an additional \$3,750,000. To maximize cost-share fund utilization, it will be important to allocate the additional funds to districts with soil erosion needs and

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to the districts who have demonstrated the management skills needed to obligate and claim their funds.

In FY05, 74 of the 144 districts obligated at least 80 percent of their allocated cost-share funds and 60 districts claimed at least 80 percent of their allocated cost-share funds. For the past several years the commission has allocated the additional funds to the districts that claimed at least 80 percent of their cost-share allocation from the previous fiscal year.

In FY04 there was an additional \$3,442,096 available cost-share funds. Also in that year, 90 districts claimed at least 80 percent and they were offered an additional \$38,000. In FY05 there was an additional \$4,335,126 available to the 65 districts that claimed 80 percent of their cost-share funds, and they were offered an additional \$68,500. To fully utilize the FY05 funds, the commission decided that any of the additional funds not originally accepted would be re-offered to the same 65 districts that requested even more funds.

If in FY06 the commission decided to allocate the additional cost-share funds, as was done in FY05, 60 districts would be offered \$68,100. Funds not accepted would be re-offered to any of the same 60 district that would want even more additional funds. These funds would be allocated in equal amounts to those districts requesting them.

However, Ms. Oerly stated that due to the drought conditions, the commission might want to consider holding back those additional funds not initially accepted by the districts for drought assistance. It was estimated that approximately \$300,000 would be available for drought relief efforts.

Elizabeth Brown stated that in the past they have set aside money for drought assistance.

Richard Fordyce made a motion to offer \$68,100 to each of the 60 districts claiming at least 80 percent in FY05 and set aside funds from the amount not initially accepted until the current drought situation has been reviewed. Kathryn Braden seconded the motion. When asked by the chair, Kathryn Braden, Richard

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Fordyce, Leon Kreisler, and Elizabeth Brown voted in favor of the motion and the motion carried unanimously.

b. Special Area Land Treatment (SALT)

1. Update on Soil and Water Assessment Tool (SWAT) Research Project

Ken Struempf presented an update on the Soil and Water Assessment Tool (SWAT) research project.

Mr. Struempf proceeded to give the commission background information on the project. The commission was looking for some measurable water quality results for the AgNPS SALT projects. Initially, the commission was interested in doing some monitoring of impacted streams. Upon researching this option, it was found that monitoring would be very expensive, may not be the best predictor of the long-term results, and typically no baseline data exists in these watersheds. Upon hearing these comments, the commission began to look at doing some watershed models to have a scientific prediction on the expected water quality improvements.

The commission entered into a contract with the university to model five watershed projects across the state. The watersheds being modeled are in Macon, Bates, Maries/Osage, Barry, and Stoddard counties. Because the watersheds are across the state, the commission has about every aspect of the SALT Program including animal waste concerns, pasture concerns, irrigation concerns, sediment control, and nutrient and pest management. The modeling is expected to be completed by June 30, 2006.

Along with cumulative water quality impacts, the SWAT model agreement asks that the models provide a tool to determine the effectiveness of each Best Management Practice (BMP) offered through SALT. For each BMP, the model will predict the load reductions and difference in crop yields.

Ken introduced Claire Baffaut from the University of Missouri. She stated the goal of the model is to get SWCDs to use SWAT to evaluate the benefits of their AgNPS SALT projects and BMPs that they are trying to encourage farmers to use. The reasons for the research are to get water quality information, quantify BMPs impacts, direct cost-share dollars to the practices that are the most

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beneficial in the area of the watershed, and develop management plans for the watersheds.

The first object was to use SWAT to evaluate BMP impacts in AgNPS SALT watershed projects. The watersheds that are being researched are Long Branch, Upper/Lower Maries River, Miami Creek, Jenkins River, and Flat Creek. The second objective was to develop databases specific to the state of Missouri to be used with the model to make sure the model was easier and less complicated. Ms. Baffaut stated that the watershed analysis process involved five steps. She stated they were working with the steering committee, data analysis, model development and calibration, baseline analysis, and BMP evaluation. The model preparation steps are digital elevation map, overlaying soil maps and land use maps, selecting a weather station for the database, selecting groundwater data, selecting management data for the database, adapt management data with local information, and finally produce model outputs. Ms. Baffaut proceeded to provide information on the watersheds in the model. The information included the number of acres, the percentage of grassland, forest, row crops, and water. An example that she used was the Maries River. Some of the BMPs in that watershed were stream exclusion, grassland establishment and improvement, grazing management, streambank stabilization, woodland exclusion, groundwater quality, erosion control, cropland water quality, waste management, and nutrient management. According to the model for the Maries River Watershed, if pastures were improved, the average annual sediment yield would decrease by 13 percent. She stated that if all the pastures were in good condition, the average annual sediment yield would decrease by 86 percent. Ms. Baffaut proceeded to discuss management and weather stations databases.

F. REPORTS

1. NRCS

Dwayne Gelnar provided the commission with information on the Conservation Security Program (CSP). He stated that they had started the process of making payments for CSP in the seven watersheds. The total for the state was \$13,000,000 in contracts. This is a financial assistance program for farmers in the approved watersheds.

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Mr. Gelnar stated that they were in the process of soliciting information from the local working groups on the type of input they would like to have in terms of addressing the local priorities for Environmental Quality Incentive Program (EQIP). They are in the process of assessing the state priorities for EQIP.

2. MASWCD

Tom Lambert stated that association was working on the renewal of the Parks and Soils Sales Tax. He also touched on the issue of health insurance for employees.

3. University of Missouri

Dave Baker invited anyone there that wanted to attend the tour of the Life Science Center and the School of Natural Resources. He also urged the commission and the districts to provide input on the plan for the work process. He thanked the commission for being on the university campus.

Elizabeth Brown thanked Mr. Baker for the invitation to have the commission meeting on campus.

4. Department of Conservation

Brad McCord informed the commission that the Missouri Department of Conservation, USDA, Farm Service Agency, and NRCS were involved with an outreach effort for Bob White Quail Habitat in the form of a place mat that had been placed in a few local restaurants and small town cafes. He stated that it had generated interest.

5. Department of Agriculture

Dan Engemann stated the drought was on everyone's mind. He informed the commission that Director Ferrell was with the Governor touring about five sites around the state assessing the drought situation. He also stated that they were working closely with Farm Service Agency to get some counties declared disaster areas. He encouraged people to attend the state fair.

6. Staff

Sarah Fast informed the commission that in the back of their packet was a copy of the draft Plan for the Future that had all the appendices. Also there was a calendar of upcoming meetings. She drew their attention to October 5 as a

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possible DNR Commission Training session. This is for all DNR commissioners and she stated she would send information out as it was received.

When asked if this was for new commissioners, Ms. Fast answered it was for everyone, but she recommended it for the new commissioners.

She also informed them of the commission letter that the program was directed to send to the Review Commission asking to stay within the Department of Natural Resources.

Ms. Fast stated that there was a letter from Mr. Werely asking for more time to do the maintenance on his cost-share practice due the drought. She stated they consulted with NRCS and that it was approved for another month.

Bill Wilson informed the commission that they had a copy of the schedule for the Area Meetings. He also stated they had a copy of talking points for them based on the suggestions they made.

G. ADJOURNMENT

Leon Kreisler moved the meeting be adjourned. Kathryn Braden seconded the motion. Motion approved by consensus at 12:30 pm.

Respectfully submitted,

Sarah E. Fast, Director
Soil and Water Conservation Program

Approved by:

Elizabeth Brown, Chairman
Missouri Soil & Water Districts Commission

/tm